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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 110

## Complete if Known

Application Number	10/647,740
Filing Date	August 25, 2003
First Named Inventor	Modak
Examiner Name	Kennedy, S.
Art Unit	3762
Attorney Docket No.	A30424-D-A 070050.2458

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 02-4377  
Deposit Account Name: Baker Botts L.L.P.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)				(\$ ) 0	

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid	
Independent		-20 =		-20		=0	
Multiple Dependent		-3 =		-3		=0	

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ ) 0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) Terminal Disclaimer					110

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 110

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Peter J. Shen	Registration No. (Attorney/Agent)	52,217	Telephone	212-408-2500
Signature		Date	November 1, 2004		

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Modak *et al.* Assignee : The Trustees of Columbia University  
in the City of New York

Appln. No.: 09/647,740 Examiner : Kennedy, Sharon E.

Filed : August 25, 2003 Group Art Unit: 3763

For : CHLORHEXIDINE-CONTAINING MEDICAL DEVICES (As Amended)

**TERMINAL DISCLAIMER**

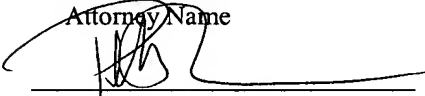
I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

November 1, 2004

Date of Deposit

Peter J. Shen

Attorney Name

  
Signature

52,217

PTO Registration No.

November 1, 2004

Date of Signature

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The owner, the Trustees of Columbia University in the City of New York ("Assignee"), of 100% interest in the above-captioned application by virtue of an assignment which is recorded in the United States Patent and Trademark Office at Reel No. 011473, Frame No. 0802-0805, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of commonly owned prior 1) U.S. Patent No. 6,626,873 issued on

11/05/2004 AWONDAF1 00000057 10647740

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September 30, 2003, 2) U.S. Patent No. 5,772,640 issued on June 30, 1998; 3) U.S. Patent No. 6,106,505 issued on August 22, 2000; 4) U.S. Patent No. 6,582,719 issued on June 24, 2003; 5) U.S. Patent No. 6,706,024 issued on March 16, 2004; 6) U.S. Patent No. 6,083,208 issued on July 5, 2000; and 7) co-pending U.S. Application No. 09/746,670. Assignee hereby agrees that any patent so granted on the above captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. U.S. Patent No. 6,626,873; U.S. Patent No. 5,772,640; U.S. Patent No. 6,106,505, U.S. Patent No. 6,582,719, U.S. Patent No. 6,706,024, U.S. Patent No. 6,083,208, and co-pending Application No. 09/746,670. The Assignee further agrees that this agreement is to run with any patent granted on the above captioned application and is to be binding upon the grantee, its successors, and assigns.

The Assignee does not disclaim any terminal part of any patent granted on the above captioned application prior to the expiration date of the full statutory term of U.S. Patent No. U.S. Patent No. 6,626,873; U.S. Patent No. 5,772,640; U.S. Patent No. 6,106,505, U.S. Patent No. 6,582,719, U.S. Patent No. 6,706,024, U.S. Patent No. 6,083,208, and co-pending Application No. 09/746,670 in the event that said patents later: expire for failure to pay a maintenance fee, are held unenforceable, are found invalid, are statutorily disclaimed in whole or terminally disclaimed under C.F.R. 1.321(a), have all claims canceled by a reexamination certificate, or are otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

The undersigned is an attorney of record and with the authority to execute this Terminal Disclaimer on behalf of the Assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information on belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The Terminal Disclaimer fee under 37 C.F.R. §1.20(d) is enclosed.

Respectfully submitted,

BAKER BOTTS L.L.P.



Date: November 1, 2004

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